S.B. CIVIL MISC. APPL. NO.2/2007
IN
S.B. CIVIL REGULAR SECOND APPEAL NO.68/1987
(LRs of Amrit Lal vs. Manohar Singh)

Date :: 19.02.2007

HON'BLE MR. JUSTICE PRAKASH TATIA

Ms.Kusum Rao, for the appellants.
Mr.Surendra Mehta, for the respondent.

The appellants have moved an application for extension of time for vacating the suit premises because of reason that by the judgment dated 10th April, 2006 passed in S.B. Civil Regular Second Appeal No.68/1987, this Court granted the appellants to vacant the suit premises by 31st December, 2006.

Learned counsel for the appellants submitted that to challenge the judgment dated 10th April, 2006, SLP was preferred before the Hon'ble Supreme Court which was dismissed by the Supreme Court and Hon'ble Apex Court observed that for extension of time for vacating the suit premises, the appellants may approach to High Court. The appellants are seeking six months further time from 31st December, 2006.

Learned counsel for the respondents submitted that the decree holders granted more time to the appellants, but when

the appellants did not vacate the suit premises despite granting time, he lodged executing petition and thereafter the decree holders were informed that Hon'ble Supreme Court has passed the order and permitted appellants to approach the High court for extension of time.

Be that as it may, it may be appropriate to grant the time to the appellants to vacate the suit premises by 30th April, 2007 for which the appellants are directed to submit the fresh undertaking before the trial court that the appellants shall handover vacant possession of the suit premises to the respondents decree holders by or before 01st May, 2007. The undertaking be filed within a period of two weeks from today. In case undertaking is not filed within a period of two weeks from today, the decree shall become executable forthwith.

[PRAKASH TATIA],J.

A.K. Chouhan/-